

STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals, continued and held at Charleston, Kanawha County, on June 4, 2019, the following order was made and entered:

State of West Virginia ex rel.  
Perdue Pharma L.P., et al.  
Petitioners

vs.) No. 19-0205

Honorable David W. Hummel, Jr., Judge of the  
Circuit Court of Marshall County, et al.,  
Respondents

**ORDER**

On March 7, 2019, the petitioners, Perdue Pharma L.P., by counsel Mark E. Williams and Christopher D. Smith, Nelson Mullins Riley & Scarborough LLP; Eric W. Legg, Michael J. Farrell, and Tamela J. White, Farrell, White & Legg PLLC; Tim J. Yianne and Patricia M. Bello, Lewis Brisbois Bisgaard & Smith LLP; Michael P. Markins and Jennifer A. Lynch, Cipriani & Werner, PC; and Keith A. Jones, Jones Law Group, presented to the Court a petition praying for a writ of prohibition to be directed against the respondent, the Honorable David W. Hummel, Jr., Judge of the Circuit Court of Marshall County, as therein set forth. Thereafter, on May 13, 2019, the respondents, Brook County Commission, et al., by counsel Clayton J. Fitzsimmons, Robert P. Fitzsimmons, and Mark A. Colantonio, Fitzsimmons Law Firm, PLLC; Samuel D. Madia, Shaffer Madia Law, PLLC; Paul J. Napoli and Joseph L. Ciaccio, Napoli Shkolnik, LLP; Jonathan E. Turak, Gold, Khourey & Turak; and Daniel J. Guida, Guida Law Office, filed a response to the petition.

Upon consideration and review, the Court is of the opinion that a rule should not be awarded, and the writ prayed for by the petitioners is hereby refused. Justice Workman disqualified.

A True Copy

Attest: /s/ Edythe Nash Gaiser  
Clerk of Court



**Exhibit H**